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RTF:RMR
F.#2002R00413

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

A G R E E M E N T

-against-

THE NEW YORK RACING ASSOCIATION, INC.

Defendant. ★

JUN 29 2005

Cr. No. 03-1295 (ADS)

- - - - -X
LONG ISLAND OFFICE

AMENDMENT TO DEFERRED PROSECUTION AGREEMENT

The defendant, THE NEW YORK RACING ASSOCIATION, INC.

("NYRA"), by its undersigned attorney, pursuant to authority granted by the Executive Committee of its Board of Trustees, and the United States Attorney's Office for the Eastern District of New York (the "USAO") enter into this amendment to the Deferred Prosecution Agreement, dated December 10, 2003 (the "Agreement").

1. NYRA agrees that the Monitor appointed by the Court in the above-captioned matter shall continue to carry out its duties and responsibilities through and including July 24, 2005.

2. NYRA agrees that the Agreement shall remain in effect through and including August 23, 2005.

3. The USAO agrees that if NYRA is in full compliance with all of its obligations under the Agreement, the USAO, on or before August 23, 2005, will seek dismissal with prejudice as to NYRA

of Counts One and Fourteen through Sixteen of the Indictment, and the Agreement shall expire.

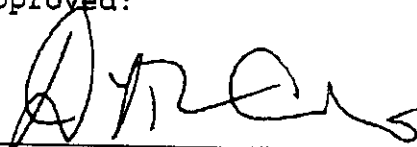
Dated: Brooklyn, New York
June 29, 2005

ERIC O. CORNGOLD
Acting United States Attorney
Eastern District of New York

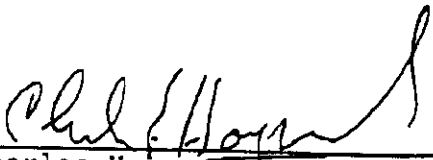
By:


Richard T. Faughnan
Chief, Public Integrity

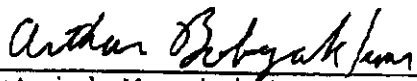
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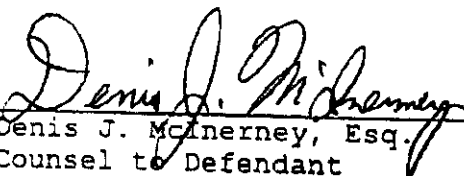

Daniel R. Alonso
Chief, Criminal Division

Agreed and consented to by:


Charles Hayward
Chief Executive Officer
THE NEW YORK RACING
ASSOCIATION, INC.
Defendant

Approved:


~~Patrick Mancini~~ Arthur Gobyak
Supervising Pretrial Services Officer
U.S. Pretrial Services Agency
Eastern District of New York


Denis J. McInerney, Esq.
Counsel to Defendant